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11 Attorneys for Plaintiff
RENE HEUSCHER

12 **UNITED STATES DISTRICT COURT**
13
NORTHERN DISTRICT OF CALIFORNIA

14 RENE HEUSCHER, individually and on
15 behalf of a class of similarly situated
16 individuals,

17 Plaintiff,

18 v.
19 HEARTLAND AUTOMOTIVE SERVICES,
INC., a Minnesota corporation,

20 Defendant.

21 CASE NO. 3:11-cv-02048-MMC

22
**JOINT STIPULATION REQUESTING
ORDER (1) GRANTING HEARTLAND
AUTOMOTIVE SERVICES, INC.
ADDITIONAL TIME TO RESPOND TO
COMPLAINT, AND (2) CONTINUING
CASE MANAGEMENT CONFERENCE
AND ORDER THEREON**

23 Complaint Filed: April 26, 2011
24 Trial Date: None Set

1 Pursuant to Local Rule 6-1 and 6-2, Plaintiff Rene Heuscher, individually and on behalf of
 2 a class of similarly situated individuals (“Plaintiff”), and Defendant Heartland Automotive
 3 Services, Inc. (“Defendant”) (collectively referred to herein as the “Parties”), by and through their
 4 respective counsel of record, hereby stipulate to grant Defendant additional time to respond to the
 5 Complaint as set forth below:

6 WHEREAS, on April 26, 2011, Plaintiff filed a putative class action Complaint against
 7 Defendant alleging violations of the Telecommunications Consumer Protection Act of 1991;

8 WHEREAS, Defendant was served with the Complaint on April 29, 2011;

9 WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), Defendant’s
 10 response to the Complaint was due on May 20, 2011;

11 WHEREAS, pursuant to Local Rule 6-1(a), Plaintiff and Defendant stipulated to grant
 12 Defendant additional time to respond to the Complaint until June 20, 2011;

13 WHEREAS, this case is one of five (5) putative class actions that is the subject of a
 14 Motion to Transfer and Consolidate filed with the Judicial Panel on Multidistrict Litigation
 15 (“JPML”) by Plaintiff on May 12, 2011;

16 WHEREAS, the JPML has set hearing on Plaintiff’s Motion to Transfer and Consolidate
 17 for July 28, 2011 (*see* MDL No. 2261, Dkt. 20);

18 WHEREAS, in the interest of justice and in an effort to enhance judicial efficiency and
 19 preserve resources, the Plaintiff desires to grant Defendant additional time in which to respond to
 20 the Complaint;

21 WHEREAS, pursuant to Local Rule 6-1(a), Plaintiff and Defendant stipulated to grant
 22 Defendant additional time to respond to the Complaint until August 22, 2011;

23 WHEREAS, this extension is not sought for the purpose of unnecessarily delaying this
 24 action;

25 WHEREAS, the Parties anticipate that a further extension may be sought, and that this
 26 extension is without prejudice to further requests in view of potential Multi-District Litigation
 27 treatment;

28 WHEREAS, a Case Management Conference is currently scheduled before the Court on

1 Friday, August 12, 2011, at 10:30 a.m.;

2 WHEREAS, the parties seek to continue the Case Management Conference thirty five (35)
3 days, until Friday, September 16, 2011, at 10:30 a.m.;

4 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that: (1) the
5 time in which Defendant shall respond to the Complaint in this action shall be continued until
6 Monday, August 22, 2011; (2) the Case Management Conference will be continued until Friday,
7 September 16, 2011, at 10:30 a.m., or until such time thereafter as is convenient for the Court.

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9 Respectfully submitted,

10 Dated: June 15, 2011

11 WHITE & CASE LLP

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By: /s/ J. Jonathan Hawk

J. Jonathan Hawk
Attorneys for Defendant Heartland
Automotive Services, Inc.

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Dated: June 15, 2011

EDELSON MCGUIRE LLP

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By: /s/ Sean P. Reis

Sean P. Reis
Attorneys for Plaintiff Rene Heuscher

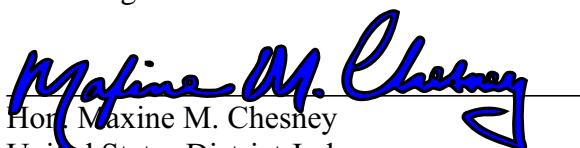
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23 PURSUANT TO STIPULATION, IT IS SO ORDERED. The Case Management Conference is
continued to September 16, 2011. A Joint Case Management Statement shall be filed no later
24 than September 9, 2011

25 DATED: June 16, 2011


Hon. Maxine M. Chesney
United States District Judge

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